

ORDER NO. 78884

IN THE MATTER OF THE
COMMISSION'S CONSIDERATION
OF THE OPERATIONS SUPPORT
SYSTEMS OF VERIZON
MARYLAND INC.

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BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

CASE NO. 8915

On March 8, 2002, in response to filings received from various carriers, the Public Service Commission of Maryland ("Commission") docketed the above-captioned proceeding to consider Verizon Maryland Inc.'s ("Verizon's") Operations Support Systems ("OSS"), and whether such systems were in compliance with §271 of the Telecommunications Act of 1996.¹ Thereafter, the Commission opened two other dockets to consider §271 issues concurrently, specifically, Case No. 8916, *In the Matter of the Commission's Consideration of the Maryland Carrier-to-Carrier Guidelines, Performance Standards and Reports; and the Performance Assurance Plan of Verizon Maryland Inc.*, and Case No. 8921, *In the Matter of the Review by the Commission into Verizon Maryland Inc.'s Compliance with the Conditions of 47 U.S.C. § 271(c)*.

Throughout the course of this proceeding, the Commission received comments and recommendations concerning various aspects of Verizon's OSS. Prior to the Commission's issuance of a final order in this proceeding, Verizon filed, with the Federal Communication's Commission ("FCC"), for §271 Authority to enter the in-region, long distance market in Maryland, West Virginia and the District of Columbia. On March 19,

2003, the FCC issued an order granting Verizon's application.² By that Order, the FCC concluded that Verizon satisfied the OSS requirements of §271 in that it provided competitive local exchange carriers nondiscriminatory access to its OSS in Maryland.³ The FCC concluded that there was little if any dispute that Verizon's OSS met the nondiscrimination requirements of §271 and focused, in part, on the relevance of Verizon's Virginia OSS. The FCC noted that no party to its proceeding had suggested that it not consider evidence of Verizon's Virginia OSS and further found that as Verizon provided sufficient evidence that its Maryland OSS are the same OSS as in Virginia, evidence concerning Verizon's Virginia OSS was relevant.⁴ Ultimately, the FCC found that,

Based on the evidence in the record, including commercial data and third-party testing, we find that Verizon's provides nondiscriminatory access to its OSS. . . . Concerning those areas of Verizon's OSS that have generated comments or been otherwise discussed below, we are satisfied that our review of the record, including our analysis of Verizon's commercial performance data for Verizon's OSS in [Maryland] indicate that Verizon is providing OSS to competitors in a nondiscriminatory manner, in compliance with the checklist.⁵

The FCC's findings that Verizon's Maryland OSS are §271 compliant, and its ultimate decision to grant Verizon §271 authority in Maryland renders the Commission's

¹ 47 U.S.C. 271.

² In the Matter of Application by Verizon Maryland Inc., Verizon Washington, D.C. Inc., Verizon West Virginia Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in Maryland, Washington, D.C., and West Virginia, *Memorandum Opinion an Order*, WC Docket No. 02-384, FCC-03-57, 18 FCC Rcd 5212; March 19, 2003, Released; March 18, 2003, Adopted. ("§271 Order")

³ 18 FCC Rcd at 5221, ¶16.

⁴ 18 FCC Rcd at 5223, ¶19.

⁵ *Id.* at ¶20.

considerations of the issues raised in this docket moot. Therefore, the Commission is closing the docket on this matter.

WHEREFORE, IT IS THIS 24th day of December in the year Two Thousand and Three, hereby,

ORDERED that the docket in the above-captioned matter is hereby closed.

By Direction of the Commission,

Donald P. Eveleth
Assistant Executive Secretary

DPE:nrm